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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

WM01/0220

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ART UNIT

PAPER NUMBER

2172

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

08/920,044

Applicant(s)

SEMPLE ET AL.

Examiner

Hosain T Alam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 August 1997.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 38-74 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 38-74 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 1997 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6, 7.
- 18) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_.

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### **DETAILED ACTION**

This Office Action is in response to the Preliminary Amendment filed on August 28, 1997. Claims 38-74 are pending in this Action.

#### ***Drawings***

This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

#### ***Information Disclosure Statement(IDS)***

The references listed in the IDS, Paper No. 6-7, have been considered.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 38-45, 47-50, 53-55, 59-63, and 68-72 are rejected under 35 U.S.C. 102(b) as being anticipated by European Patent Application EP 0508787A2 published on October 14, 1992, hereinafter to be known as "Nobe."

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As to claim 38, Nobe et al. teaches a method of mapping items of interest relative to a geo-defined location as claimed (abstract; col. 1, line 56 through col. 2, line 23)

comprising

Specifying a location at a port (col. 2, lines 18-20)

Specifying a category associated with the item (col. 2, lines 10-12)

Communicating the location and category to a database (col. 2, lines 1-17)

Receiving information at the port defining coordinates of the items of interest (col. 2, lines 18-24)

As to:

Claim 39 (formatting the information into a map at the port), see col. 1, line 58.

Claim 40 (specifying a geographic extent of the item in the map) see col. 1, lines 40-41, and 58.

Claim 41 (specifying a shape of the geographic extent of the item in the map) see col. 1, lines 40-41, and 58; the space encompassed by longitudes and latitudes is rectangular in shape.

Claim 42 (generating a request signal to the database) is rejected for the same reasons as applied to claim 1.

Claim 43 (utilizing a communication link), see Fig. 1, element 4.

Claim 44 (utilizing a personal computer), see Fig. 1

Claim 45 (communicating a geographic vicinity to the database), a map with longitude and latitude is displayed.

Claim 47 (utilizing a user interface), see Fig. 1, 19-20.

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Claim 48 the information including street and landmark, see the exemplary landmark taught by Nobe (col. 5, lines 15-20; the location of a restaurant implies the use of street)

Claim 49 (utilizing a GPS), see Fig. 1, element 4.

Claim 50 (requesting details of the item of interest), see col. 5.

Claim 53 (the information is hierarchical), Nobe provides relevant teachings in col. 5, line 16-17 wherein city and town can be hierarchically related with districts.

Claim 54 (geographic coordinates of items of interest), see col. 5.

Claim 55 utilizing the current location of a user, see "position coordinate data" in abstract.

Claim 59 a menu of categories, see col. 5, line 20, "menu".

Claim 60 a menu of locations, see col. 5, line 20, "menu".

Claim 62 displaying the information about a country or state or city, see col. 5, lines 15-20.

Claim 61, the examiner equates the detailed display levels (i.e., col. 5, lines 15-20, "district" or "city") to the first mode for a current location and a second mode for a remote location. A particular location may not appear on a display based on the detail level.

Claim 63 (prompting the user for more information at the port), see abstract.

Claim 68 (a method of collating geo-defined data as comprising determining a location of a user , providing a port and a user interface, specifying the location and a category to a database, and providing information to the user) , see the abstract of Nobe.

Claim 69 (using GPS), see col. 3, lines 3-5.

As to claim 70, Nobe teaches a method as claimed (see abstract) comprising  
Receiving a category (i.e., "restaurants" or "hotels") and positional coordinates (i.e.,  
"position coordinate data")  
Determining items of interest (i.e., service facilities such as "restaurants" or "hotels")  
Transmitting identifying information about the items of interest by specifying the items of  
interest by name (col. 2, lines 10-12) and a geographic location relative to the positional  
coordinates (col. 2, lines 13-15)

As to Claim 71 (displaying a map) see col. 1, line 58.

As to claim 72 (a user interface for information entry and visualization), see col. 1, line  
58.

As to claim 74 (forwarding a request to a server), Nobe teaches the use of GPS.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all  
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of  
the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of  
the various claims was commonly owned at the time any inventions covered therein  
were made absent any evidence to the contrary. Applicant is advised of the obligation  
under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

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not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 46, 51-52, 56-58, 64-67, and 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nobe.

As to claims 56, 58, and 73, (display being CRT, LCD, LED; utilizing fax, printer, voice communication synthesizer, or modem), it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate one of the above mentioned features to make the Nobe system more versatile. Nobe does not limit as to where data can be stored or where the data may be retrieved from (col. 3, lines 48-50). Therefore, increasing the range of alternative means for storage, downloading, and transmission would provide a user with more options to exercise and thus the system becomes more user-friendly.

As to claim 46, it would have been obvious to utilize a communication link similar to the one used in TV, fax, speaker, or display because the system of Nobe (as shown in Fig. 1) is compatible with each of them and their addition would have enhanced the versatility of the system.

As to claim 51 (the information is multimedia ) and claim 52 (the information is about an advertisement), it would have been obvious to a person of ordinary skill in the art at the time the invention was made to communicate advertised service facilities to users for

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the purpose of bringing more revenue for the service providers. It makes a business sense to raise money from the advertisers.

As to claims 56 and 67 (updating the database from the port), it would have been obvious to a person of ordinary skill in the art at the time the invention was made to update the database to maintain the content current because customers value the currency of content.

As to claim 64 (using a voice generation system to prompt a user for more information at the port) , claim 65 (using a voice generation system to prompt a user for entering a category), and claim 66 (using a voice generation system to prompt a user for describing information at the port), it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate means for voice generation to make the system more user-friendly as such a user would relieved from looking at a display while driving.

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hosain T Alam whose telephone number is (703) 308-6662. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6606 for regular communications and (703) 308-6606 for After Final communications.



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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305 3800.



Hosain T. Alam  
Primary Examiner  
Art Unit 2172

February 14, 2001